

HEATHER E. WILLIAMS, Bar #122664  
Federal Defender  
DAVID M. PORTER, Bar #127024  
Assistant Federal Defender  
Counsel Designated for Service  
801 I Street, 3rd Floor  
Sacramento, California 95814  
Telephone: (916) 498-5700

Attorneys for Defendant  
DEMECIO NAVARRO SANCHEZ

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

DEMECIO NAVARRO SANCHEZ,

Defendant.

No. Cr. S 21-47-01 WBS

**STIPULATED MOTION AND ORDER TO  
REDUCE SENTENCE PURSUANT TO 18  
U.S.C. § 3582(c)(2)**

RETROACTIVE CRIMINAL HISTORY  
REDUCTION CASE

Judge: The Honorable WILLIAM B. SHUBB

Defendant, DEMECIO NAVARRO SANCHEZ, by and through his attorney, Assistant Federal Defender David M. Porter, and plaintiff, UNITED STATES OF AMERICA, by and through its counsel, Assistant U.S. Attorney Shelley D. Weger, hereby stipulate as follows:

1. Pursuant to 18 U.S.C. § 3582(c)(2), this Court may reduce the term of imprisonment in the case of a defendant who has been sentenced to a term of imprisonment based on a sentencing range that has subsequently been lowered by the Sentencing Commission pursuant to 28 U.S.C. § 994(o), after taking into account the policy statements set forth in USSG § 1B1.10 and the sentencing factors set forth in 18 U.S.C. § 3553(a), to the extent that they are applicable;

2. The United States Sentencing Commission recently amended the Sentencing Guidelines to include what now appears in USSG § 4C1.1 (“zero-point provision”). *See* Amendment 821, Part B, Subpart 1. The zero-point provision provides a 2-offense-level

reduction for certain offenders who present zero criminal history points and satisfy the criteria listed in USSG § 4C1.1(a). The United States Sentencing Commission made the zero-point provision retroactive beginning February 1, 2024. *See* USSG § 1B1.10(e)(2) (Nov. 1, 2023); 88 Fed. Reg. 60534;

3. On January 31, 2022, this Court sentenced Mr. Sanchez to 63 months imprisonment;

4. Mr. Sanchez's total offense level was 27, his criminal history category was I (having zero criminal history points), and the resulting guideline range was 70 to 87 months. Mr. Sanchez was found to be safety valve eligible and therefore, the Court was not bound by the statutory mandatory minimum term of imprisonment;

5. The sentencing range applicable to Mr. Sanchez was subsequently lowered by the zero-point provision;

6. Mr. Sanchez is eligible for a reduction in sentence, which reduces his total offense level by 2 from 27 to 25, resulting in an amended advisory guideline range of 57 to 71 months;

7. When the defendant's original sentence was below the applicable guideline range, the court may, in accordance with the exception set forth in USSG § 1B1.10(b)(2)(B), grant a comparable reduction below the amended guideline range;

8. Accordingly, the parties request the Court enter the order lodged herewith reducing Mr. Sanchez's term of imprisonment to 57 months, effective February 1, 2024.

Respectfully submitted,

Dated: January 17, 2024

Dated: January 17, 2024

PHILLIP A. TALBERT  
United States Attorney

HEATHER E. WILLIAMS  
Federal Defender

/s/ Shelley D. Weber  
SHELLEY D. WEGER  
Assistant U.S. Attorney

/s/ David M. Porter  
DAVID M. PORTER  
Assistant Federal Defender

Attorney for Plaintiff  
UNITED STATES OF AMERICA

Attorney for Defendant  
DEMECIO NAVARRO SANCHEZ

**ORDER**

This matter came before the Court on the stipulated motion of the parties for reduction of sentence pursuant to 18 U.S.C. § 3582(c)(2).


The parties agree, and the Court finds, that Mr. Sanchez is entitled to the benefit of Amendment 821, Part B, Subpart 1, the new zero-point provision, which reduces the total offense level from 27 to 25, resulting in an amended guideline range of 57 to 71 months.

IT IS HEREBY ORDERED that, pursuant to USSG § 1B1.10(b)(2)(B), the term of imprisonment imposed in January 2022 is reduced to 57 months, effective February 1, 2024.

IT IS FURTHER ORDERED that all other terms and provisions of the original judgment remain in effect. The clerk shall forthwith prepare amended judgment reflecting the above reduction in sentence, and shall serve certified copies of the amended judgment on the United States Bureau of Prisons and the United States Probation Office.

Unless otherwise ordered, Mr. Sanchez shall report to the United States Probation Office within seventy-two hours after his release.

Dated: January 23, 2024



**WILLIAM B. SHUBB**  
**UNITED STATES DISTRICT JUDGE**